

### REMARKS

The Office Action mailed January 19, 2000, rejected claim 12 under 35 U.S.C. §112, second paragraph as being indefinite with respect to the term "adversely affecting." Applicants have amended claim 12, deleting the objectionable term and amending the claim to read "while maintaining the integrity of the seal between said at least one terminal and the cover," as stated in the objects set forth in the Background of the Invention section of the specification (col. 2, l. 65 through col. 3, l. 2). It is believed that claim 12 as amended overcomes the rejection based upon §112. The Office Action additionally indicated that claims 1-9 were allowed, and rejected claims 10-17. The Applicants extend their thanks regarding the allowance and request reconsideration of claims 10-17.

Turning now to the substantive rejections, the Office Action rejected claims 10-17 under 35 U.S.C. §102(b) as anticipated by Stocchiero, U.S. Patent 4,898,795. The Office Action asserts that the cover of Stocchiero contains two expandable regions, a planar region indicated by reference numeral 9 and a corrugated or sinusoidal region indicated by reference numeral 7. While Stocchiero does disclose elastically deformable pole seats as asserted in the Office Action, even a cursory review of the '795 reference reveals that the diaphragm 6 of Stocchiero does not provided "an expandable cover area," as required by independent claim 10. Rather, Stocchiero provides a collapsible pole seat or cover area. As specifically stated in the '795 reference at column 3, lines 51-57, "a lengthening of pole 5 in the vertical direction ... generates an axial compression on diaphragm 6, which ... will become shorter."

Claim 10 requires "an expandable cover area surrounding at least said terminal opening for said positive terminal, whereby said expandable cover area may flex as grid growth occurs." Nothing in the Stocchiero '795 reference indicates that either the shoulder-

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ring 9 or the corrugated, bellows-shaped walls 7 expands as grid growth occurs, as required by claim 10. Rather, and in sharp contrast the pending claims, Stoccheiro specifically teaches that the tubular members surrounding the terminals are co-axially compressible as the slide axially in response to grid growth.

Accordingly, Stoccheiro '795 cannot be said to anticipate claim 10 or any of the claims depending therefrom. Moreover, nothing in the Stoccheiro '795 reference can be said to render claims 10-17 obvious. As a result, it is respectfully submitted that claims 10-17 are allowable over the Stoccheiro '795 reference.

Finally, it is noted that the Office Action did not include a copy of the PTO Form 1449 indicating the Examiner's consideration of the references submitted by the applicants with the Information Disclosure Statement at the time the application was filed. The applicants request a copy of the form indicating the Examiner's consideration of those references. Additionally, submitted herewith is a Supplemental Information Disclosure Statement that specifically cites three references discussed in the Background Section of the specification, but inadvertantly omitted from the first filed Information Disclosure Statement. It is likewise requested that the Examiner indicate consideration of these references on the enclosed PTO Form 1449. The specification has also been amended at column 2, lines 22 and 23, to correct an obvious typographical error.


### CONCLUSION

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

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If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: May 19, 2000

CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date:

May 23, 2000

